

### **AMENDMENTS TO THE CLAIMS**

Please amend the claims as follows:

1. (Currently Amended) A method ~~of scheduling a transaction request to a central processing unit in a computing system~~, comprising: ~~the steps of~~,

receiving a transaction request;

selecting at least one central processing unit in a computing system, the computing system comprising at least one central processing unit;

~~for a transaction request~~, polling the selected at least one central processing unit to determine the current load on the selected at least one central processing unit;

identifying any of the selected at least one central processing unit whose current load is below a predetermined threshold and if the current load is below a predetermined threshold, allocating the transaction request to at least one of the identified at least one central processing unit; and, or

if the current load for all of the selected at least one central processing unit is above the predetermined threshold, delaying execution of the transaction request for a predetermined time delay, or until polling determines that the current load is below the predetermined threshold for at least one of the selected central processing units,

wherein said polling, allocating, and delaying steps are performed on at least one particular machine, said at least one particular machine comprising at least one physical computing device.

2. (Currently Amended) A method in accordance with claim 1, further comprising ~~the further step of~~ polling at defined time intervals to determine the system load.

3. (Original) A method in accordance with claim 2, wherein polling continues until the current load drops below the predetermined threshold, at which time the transaction request is allocated.

4. (Original) A method in accordance with claim 3, wherein the predetermined threshold is achieved when the at least one of a plurality of CPU's becomes idle.

5. (Previously Presented) A method in accordance with claim 4, wherein the predetermined time delay does not exceed 1000 milliseconds.

6. (Original) A method in accordance with claim 5, wherein the predetermined time delay does not exceed 500 milliseconds.

7. (Original) A method in accordance with claim 5, wherein the predetermined time delay is in the order of one to fifteen time slice intervals.

8. (Currently Amended) A system ~~for scheduling an incoming transaction to a central processing unit in a computing system~~, comprising:

a computing system comprising at least one central processing unit;

a predetermined threshold stored on a scheduling computer;

~~a scheduling computer for scheduling a transaction~~, the scheduling computer, on receipt of a transaction request, polling at least one central processing unit of the computing system to obtain a value for the current central processing unit load;

~~a predetermined threshold stored on the scheduling computer, wherein the scheduling computer compares the predetermined threshold to the central processing unit load;~~

~~wherein the scheduling computer, if the current load is below the predetermined threshold, allocates~~ allocating the transaction request to one of the polled at least one central processing unit if the current load of the polled at least one central processing unit is below the predetermined threshold, or if the current load is above the predetermined threshold, delays delaying execution of the transaction request for a predetermined time period if the current load on the polled at least one central processing unit is above the predetermined threshold.

9. (Currently Amended) A system in accordance with claim 8, wherein the scheduling computer is arranged to continue to poll the computing system at defined time intervals to determine the ~~system~~ current load of at least one central processing unit of the computing system.

10. (Previously Presented) A system in accordance with claim 9, wherein the scheduling computer is arranged to allocate the transaction when the scheduling computer determines that the current load has dropped below the predetermined threshold.

11. (Currently Amended) A system in accordance with claim 10, wherein the predetermined threshold is achieved when the at least one of the computing system central processing units ~~a plurality of CPU's~~ becomes idle.

12. (Previously Presented) A system in accordance with claim 11, wherein the predetermined time delay does not exceed 1000 milliseconds.

13. (Original) A system in accordance with claim 12, wherein the predetermined time delay does not exceed 500 milliseconds.

14. (Original) A system in accordance with claim 12, wherein the predetermined time delay is in the order of one to fifteen time slice intervals.

15. (Canceled)

16. (Canceled)